



**TENNESSEE  
STATE DEPARTMENT OF EDUCATION  
DIVISION OF SPECIAL EDUCATION  
5TH FLOOR ANDREW JOHNSON TOWER  
710 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243-0380**

## **Memorandum**

To: Directors of Schools  
Chester County  
Grainger County  
Knox County  
Maury County

From: Faye Taylor Commissioner

Date: April 29, 2002

Re: Education Regarding Children in State Custody

Pursuant to the Settlement Agreement to resolve the existing disputes and issues in the class action case of *Brian A., et al., v. Don Sunquist, et al.*, the Department of Children's Services (DCS) is mandated to make changes in their department as it relates to providing education services to children in state custody. The terms of the agreement affect many of DCS's services to foster children. The overriding principle of the settlement agreement is that children in state custody receive services in the least restrictive environment. Therefore, beginning with the 2002-2003 school year, all Level I children in DCS custody will be educated in public schools where they reside. Many of these children will be reunited with family, therefore, returning to their home school.

By June 15, 2002, DCS will have developed a Transition Plan to ensure that these children are transitioned and placed appropriately in the public school setting. In the near future, you will receive information from staff in DCS relating to the transition process.

In addition to Level I students, DCS is also mandated to begin the process to transition appropriate Level II students into public schools. This however, will be done on an individual basis. Not all Level II students will be attending public school. Additional information on these students will be forthcoming from DCS.

Attached you will find information concerning the name of the facility, the number of children transitioning and the contact person from the DCS school in your district. Should you need further information or guidance in this matter, please call Christy Ballard or Joseph Fisher at (615) 741-2851.

cc: Jeff Roberts  
Joseph Fisher  
Christy Ballard